

# MAYOR & COUNCIL AGENDA COVER SHEET

## MEETING DATE:

February 21, 2006

## CALL TO PODIUM:

Patricia Patula, Planner

## RESPONSIBLE STAFF:

Patricia Patula, Planner  
Jacqueline Marsh, Planner

## AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
x	Historic District Commission
	Consent Item
	Ordinance
	Resolution
x	Policy Discussion
	Work Session Discussion Item
	Other:

## TITLE:

**Historic District Commission: Policy Discussion**

Demolition Request: 106 North Summit Avenue  
The Housley/Gaither House

Applicant: Claudio Joseph  
Maryland Community Development Trust LLC

## SUPPORTING BACKGROUND:

A demolition request for the house at 106 North Summit Avenue was filed on December 23, 2005, by Claudio Joseph, of Maryland Community Development Trust, LLC. On January 3, 2006, HPAC members Arkin, Coratola, Bernstein, and Drzyzgula and staff person Patricia Patula visited the site with Mr. Joseph. The group toured both the interior and exterior of the house as well as the yard and outbuilding.

At their meeting of February 2, 2006, the HPAC evaluated the site per the criteria for historic significance in the City's Preservation of Historic Resources Ordinance, Section 24-226(b). They found that the site meets the following criteria:\*\*

- (1) Historical and cultural significance, criteria a and c.
- (2) Architectural and design significance, criteria a and f.

\*\* See HPAC's evaluation of site

The HPAC recommends that 106 North Summit Avenue be designated as a local historic site. They further recommend that historic designation not hinder further development on the remainder of the site.

The HDC may direct the city manager to withhold issuing the demolition permit [Sec. 24-231.2] where it determines that any site has the reasonable probability of being designated. It may, on its own motion [Sec. 24-226(a)], sponsor a public hearing to determine if the historical significance substantiates designation as a local site. It may also direct the city manager to issue the demolition permit.

### Attachments:

*Demolition request*

*Designation Criteria, Sec. 24-226 Excerpt Preservation Ordinance*

*Maryland Historical Trust Inventory Form*

*Excerpt Field Guide to American Houses*

*HPAC's Evaluation of Site*

*Minutes of HPAC meeting February 2, 2006*

*Transcript of HPAC meeting February 2, 2006*

*Memo re Gaither Family*

## PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

## DESIRED OUTCOME:

**Provide guidance to staff; determine need for public hearing**

PENGAD-Bayonne, N. J.

**JOINT  
EXHIBIT**

#12

HD-31

3-20-06



February 24, 2006

Karey Major, Law Section  
The Gaithersburg Gazette  
P.O. Caller 6006  
Gaithersburg, Maryland 20884

Dear Karey:

Please publish the following legal advertisement in the **March 1 and 8, 2006**, issues of the *Gaithersburg Gazette*.

Sincerely,

Patricia A Patula, Planner  
Planning and Code Administration

ASSIGN CODE: PHHD-31

### NOTICE OF JOINT PUBLIC HEARING

The Historic District Commission and the Planning Commission of the City of Gaithersburg will conduct a joint public hearing on HD-31, filed by the Historic District Commission, on

**MONDAY  
MARCH 20, 2006  
AT 7:30 P.M.**

or as soon thereafter as this matter can be heard in the Council Chambers at 31 South Summit Avenue, Gaithersburg, Maryland.

The application requests historic designation of the Housely/Gaither House at 106 North Summit Avenue, Gaithersburg, Maryland. The structure was built on Parcel P773 about 1929, and is listed within the City's Inventory of Historic Resources. The City's Historic Preservation Advisory Committee recommended historic designation of the Housely/Gaither House based on criteria within Section 24-226 of the City Code.

Further information may be obtained from the Planning and Code Administration Department at City Hall, 31 South Summit Avenue, between the hours of 8 a.m. and 5 p.m., Monday through Friday.

Patricia A. Patula  
Planning and Code Administration  
PP/mg

**Acct# 133649** City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098  
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • cityhall@gaitersburgmd.gov • www.gaitersburgmd.gov

MAYOR  
Sidney A. Katz

COUNCIL MEMBERS  
Stanley J. Alster  
Geraldine E. Idens  
Henry F. Marraffa, Jr.  
John B. Schlichting  
Michael A. Sesma

CITY MANAGER  
David B. Humpton

**JOINT  
EXHIBIT  
#13**  
HD-31  
3-20-06



CITY OF GAITHERSBURG  
31 South Summit Avenue  
Gaithersburg, Maryland 20877  
Telephone: 301-258-6330

### NOTICE OF JOINT PUBLIC HEARING

APPLICANT: City of Gaithersburg Historic District Commission  
APPLICATION: HD-31

Please take notice that the Historic District Commission and the Planning Commission will be conducting a joint public hearing on the above-referenced application on **Monday, March 20, 2006, at 7:30 p.m.** or as soon thereafter as this matter can be heard.

The application requests historic designation of the Housely/Gaither House at 106 North Summit Avenue, Gaithersburg, Maryland. The structure was built on Parcel P773 about 1929, and is listed within the City's Inventory of Historic Resources. The City's Historic Preservation Advisory Committee recommended historic designation of the Housely/Gaither House based on criteria within Section 24-226 of the City Code.

Further information and a detailed description of the proposal may be obtained from Planning and Code Administration at City Hall, 31 South Summit Avenue, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

CITY OF GAITHERSBURG

By: Patricia Patula  
Patricia Patula, Planner

### NOTICES SENT THIS 28<sup>th</sup> DAY OF FEBRUARY, 2006

#### APPLICANT/OWNER:

Patricia Patula for Historic District Commission

#### INTERESTED AND REQUIRED PARTIES:

*(A complete listing of interested parties is available at City Hall, Planning and Code Administration during regular business hours.)*

#### HISTORIC PRESERVATION ADVISORY COMMITTEE

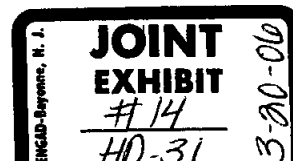
#### PLANNING COMMISSION

#### HISTORIC DISTRICT COMMISSION

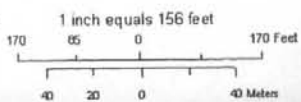
#### CITY STAFF:

David Humpton, City Manager  
Frederick J. Felton, Assistant City Manager  
Tony Tomasello, Assistant City Manager  
Cathy Borten, City Attorney  
Britta Monaco, Public Information Director  
Doris Stokes, City Manager's Office  
Wes Burnette, Permits and Inspections Director  
Jeff Baldwin, Web Administrator (via email)

*(See Site Location Map on Reverse)*



106 North Summit Avenue  
HD-31



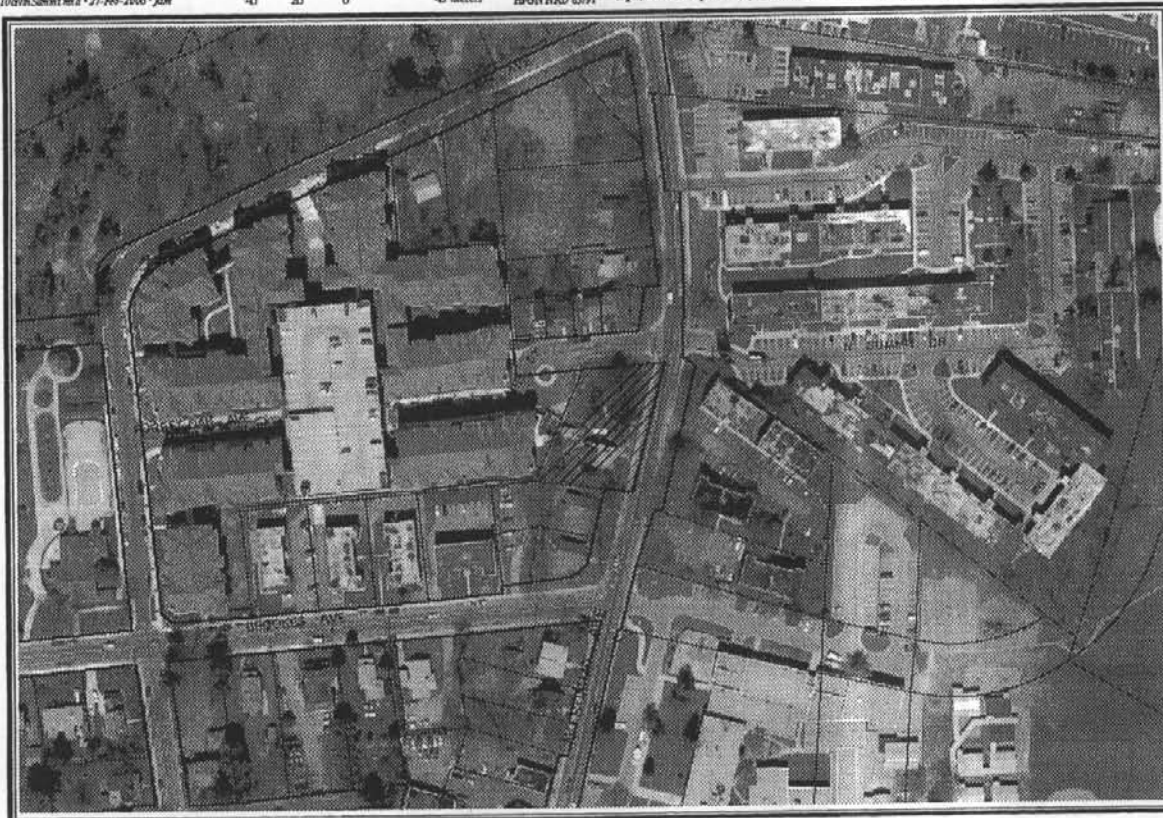
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City of Guilford  
Planning and Urban Affairs  
30 S. Summit Ave.  
Guilford, VT 05747  
(802) 241-2222  
www.guilfordvt.gov

106NorthSummit.mxd - 27-Feb-2005 - jcm



AAKAM LLC  
13600 STONEBARN LN  
N POTOMAC MD 20878

BOARD OF EDUCATION  
850 HUNGERFORD DR  
ROCKVILLE MD 20850

BRUCE A & D J RATTI  
549 BEACH DRIVE  
ANNAPOLIS MD 21403

CLAUDIO JOSEPH  
MARYLAND COM DEV TRUST LLC  
5884 HUBBARD DR  
ROCKVILLE MD 20852

DANIEL J & J M HIXON  
106 NORTH SUMMIT AVE  
GAITHERSBURG MD 20877

FOUNDATION OF WORLD CHILD  
9300 COLUMBIA BLVD  
SILVER SPRING MD 20910

GAITHERSBURG HISTORICAL SOCIETY  
PO BOX 211  
GAITHERSBURG MD 20877

GEORGE L F SEIDL  
715 HERMLEIGH RD  
SILVER SPRING MD 20902

GWEN WRIGHT  
MNCP&PC  
8787 GEORGIA AVENUE  
SILVER SPRING MD 20907

HELEN LOCHTE  
5704 WYNGATE DR  
BETHESDA MD 20817

KIE H & M O KIM  
222 LEE STREET  
GAITHERSBURG MD 20877

LAR-KEN APARTMENTS LLC  
18428 AZALEA DR  
DERWOOD MD 20855

OCCUPANT  
220 LEE ST  
GAITHERSBURG MD 20877

SCOTT E & J K P BELL  
102 N SUMMIT AVE  
GAITHERSBURG MD 20877

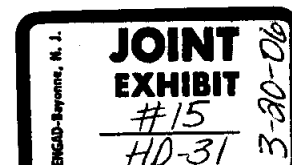
SCOTT E BELL  
JANE KAMMER POWERS BELL  
10401 SANDRINGHAM CT  
POTOMAC MD 20854

SUMMIT CREST APTS JOINT VENT  
C/O SOUTHERN MANAGEMENT CO  
1950 OLD GALLOWS RD #600  
VIENNA VA 22182

TAI NGUYEN  
224 LEE STREET  
GAITHERSBURG MD 20877

TOWN CENTER ONE LTD PTNSHP  
C/O THE DOLBEN COMPANY  
25 CORPORATE DR STE 210  
BURLINGTON MA 01803

YANTO LUNARDI-ISKANDAR  
226 LEE ST  
GAITHERSBURG MD 20877





*Gaithersburg*

*a CHARACTER COUNTS! City*

DRAFT

DRAFT

**CITY OF GAITHERSBURG  
MINUTES OF THE FEBRUARY 21, 2006  
HISTORIC DISTRICT COMMISSION MEETING**

A meeting of the Historic District Commission was called to order at 8:18 p.m., Chair Katz presiding. Commissioners present: Alster, Marraffa, Schlichting and Sesma. Commissioner Absent: Edens. Staff present: City Manager Humpton, Planner Patula, City Attorney Borten and Administrative Assistant Stokes.

**APPROVAL OF MINUTES**

Deferred.

**POLICY DISCUSSION**

**Applicant: Claudio Joseph, Maryland Community Development Trust, LLC, 106 North Summit Avenue, Housely/Gaither House, Request for Demolition**

Planner Patula provided background on the Housely/Gaither House and stated that the request for demotion was filed by the applicant on December 23, 2005. She stated the Historic Preservation Advisory Committee (HPAC) visited the site on January 3, 2006, evaluated and made recommendations to the Historic District Commission on the criteria for historic significance. The HPAC recommended that the house meets the criteria in the City's Preservation of Historic Resources Ordinance, Section 24-226, and that it be designated as a local historic site. They further recommended that historic designation not hinder further development on the remainder of the site. Mrs. Patula added that the current residents are connected with the early founding Gaither family. She stated that the Commission has the option of directing the City Manager to issue the demolition permit or make a motion to conduct a public hearing to further discuss and receive additional information on the site.

Several Commissioners questioned relatives meeting the criteria regarding the significance of the founding families in the City, historic designation of the house, hindrance to the applicant for future development, and asked for a more thorough presentation. Chairman Katz and the Commissioners concurred following discussion that a joint public hearing be held before the Historic District Commission and Planning Commission, if possible, to move the application process forward more quickly. City Attorney Borten noted that a demolition permit, once applied, can be held for only six months by the City.

Motion was made by Commissioner Schlichting, seconded by Commissioner Sesma, directing the City Manager to withhold the demolition permit until further guidance can be given following a scheduled joint public hearing.

Vote: 5-0

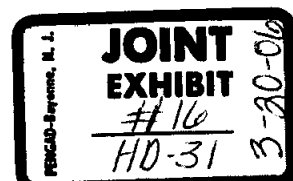
**ADJOURNMENT**

There being no further business to come before the Historic District Commission, the meeting was duly adjourned at 8:28 p.m.

*Respectfully submitted,*

Doris R. Stokes

Administrative Assistant



## DEMOLITION PERMIT APPLICATION

In accordance with Chapter 24, Article VI and Chapter 5, Article I  
of the City Code

Maryland State Law requires that building contractors  
provide a copy of their current state license with this application.

Application No.	PI-BOS1317
Date	12-23-05
Approvals:	
Code	_____ Date _____
Zoning	_____ Date _____
Fees:	
Total Fee	_____
Application Fee	600 pd or cd
Amount Due	_____

All information requested in this application must be answered completely.

### 1. SUBJECT PROPERTY

Street Address 106 North Summit Avenue Suite No. N/A  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
 Project Name N/A Floor Location N/A

### 2. APPLICANT

Name Claudio J. Joseph Suite No. N/A  
 Street Address 5020 Wisconsin Ave., N.W.  
 City Washington, D.C. State DC Zip Code 20016  
 Telephones: Work (240) 508-0774 Home (240) 508-0774

### 3. CONTRACTOR

Name Management-Contractor Services, L.L.C. "dba": MCS Construction  
 Contractor's Maryland License Number 15044230 Telephone (240) 508-0774  
 Street Address 5884 Hubbard Drive Suite No. N/A  
 City Rockville State MD Zip Code 20852

### 4. PROPERTY OWNER

Name Maryland Community Development Trust, L.L.C. Suite No. N/A  
 Street Address 5884 Hubbard Drive State MD Zip Code 20852  
 City Rockville Home (240) 508-0774  
 Telephones: Work (301) 984-0303

### 5. BUSINESS OWNER/OCCUPANT

Business Name (T/A) N/A Manager \_\_\_\_\_  
 Owner/Occupant \_\_\_\_\_ Suite No. \_\_\_\_\_  
 Address \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 City \_\_\_\_\_ Home \_\_\_\_\_  
 Telephones: Work \_\_\_\_\_

### 6. PERMIT TYPE (check one only)

☐ INTERIOR DEMOLITION  
☒ BUILDING DEMOLITION

☐ RESIDENTIAL  
☒ COMMERCIAL

continued on reverse side



7. WORK DESCRIPTION

Demolition of Building located at 106 North Summit Avenue and of its garage at the back of the lot to be accomplished at a later date.

8. PROJECT DETAIL INFORMATION

✓ Cost \_\_\_\_\_  
Number of Buildings 2 Building Height less than 25'  
Number of Stories 2  
Above Grade ✓ Below Grade \_\_\_\_\_

9. CODE ANALYSIS

Total Floor Area:  
Building and/or Space \_\_\_\_\_ sq. ft.  
Total Work Area \_\_\_\_\_ sq. ft.  
Use Group (IBC, Chapter 3) \_\_\_\_\_  
Construction Type (IBC, Chapter 6) \_\_\_\_\_  
Automatic Sprinkler System: ☐ Yes ☐ No ☐ Partial

10. OCCUPANCY

Is this space currently occupied? ☐ Yes ☒ No  
Will this space be occupied during internal demolition? ☐ Yes ☒ No

I hereby certify that I have read and examined this application and that all statements are true and correct; furthermore, I certify that I am the Owner or Lessee of the property, or Agent or either, or the licensed Engineer, Architect, or Contractor employed in connection with this proposed work, and that the proposed work is authorized by the Owner in fee, and I am authorized to make such application.

Applicant's Name (please print)

Claudio J. Joseph

Applicant's Signature

*[Signature]*

Date

12/15/05

Daytime Telephone

(240) 508-0774

SPECIAL CONDITIONS





## RECEIPT

RECEIPT NUMBER: CH-0502989

APD #: **PI-B051313** TYPE: Demolition Permit B  
SITE ADDRESS: **106 N SUMMIT AVE GB**  
PARCEL: 833560

---

TRANSACTION DATE: 12/23/2005	TOTAL PAYMENT:	600.00
	TOTAL PAID FROM CURRENCY:	600.00

TRANSACTION LIST:

Type	Method	Description	Amount
Payment	Credit C MC	- - -	600.00
TOTAL:			600.00

ACCOUNT ITEM LIST:

Description	Account Code	Current Pmts
Building Fee	100-420230	600.00
TOTAL:		600.00

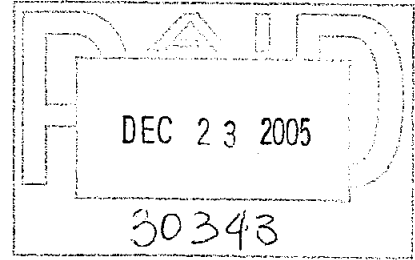
RECEIPT ISSUED BY: SKITZMILLER INITIALS: SFK  
ENTERED DATE: 12/23/2005 TIME: 11:00 AM

---



*demo*

## RECEIPT



RECEIPT NUMBER: CH-0502989

APD #: **PI-B051313** TYPE: Demolition Permit B  
SITE ADDRESS: **106 N SUMMIT AVE GB**  
PARCEL: 833560

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TRANSACTION DATE: 12/23/2005	TOTAL PAYMENT:	600.00
	TOTAL PAID FROM CURRENCY:	600.00

---

TRANSACTION LIST:

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TOTAL:			600.00

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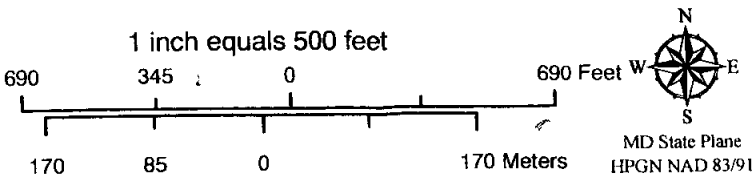
RECEIPT ISSUED BY: SKITZMILLER INITIALS: SFK  
ENTERED DATE: 12/23/2005 TIME: 11:00 AM

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# Olde Towne Gaithersburg

## Address Map

ProjectName.mxd • 11-Jan-2005 • abc

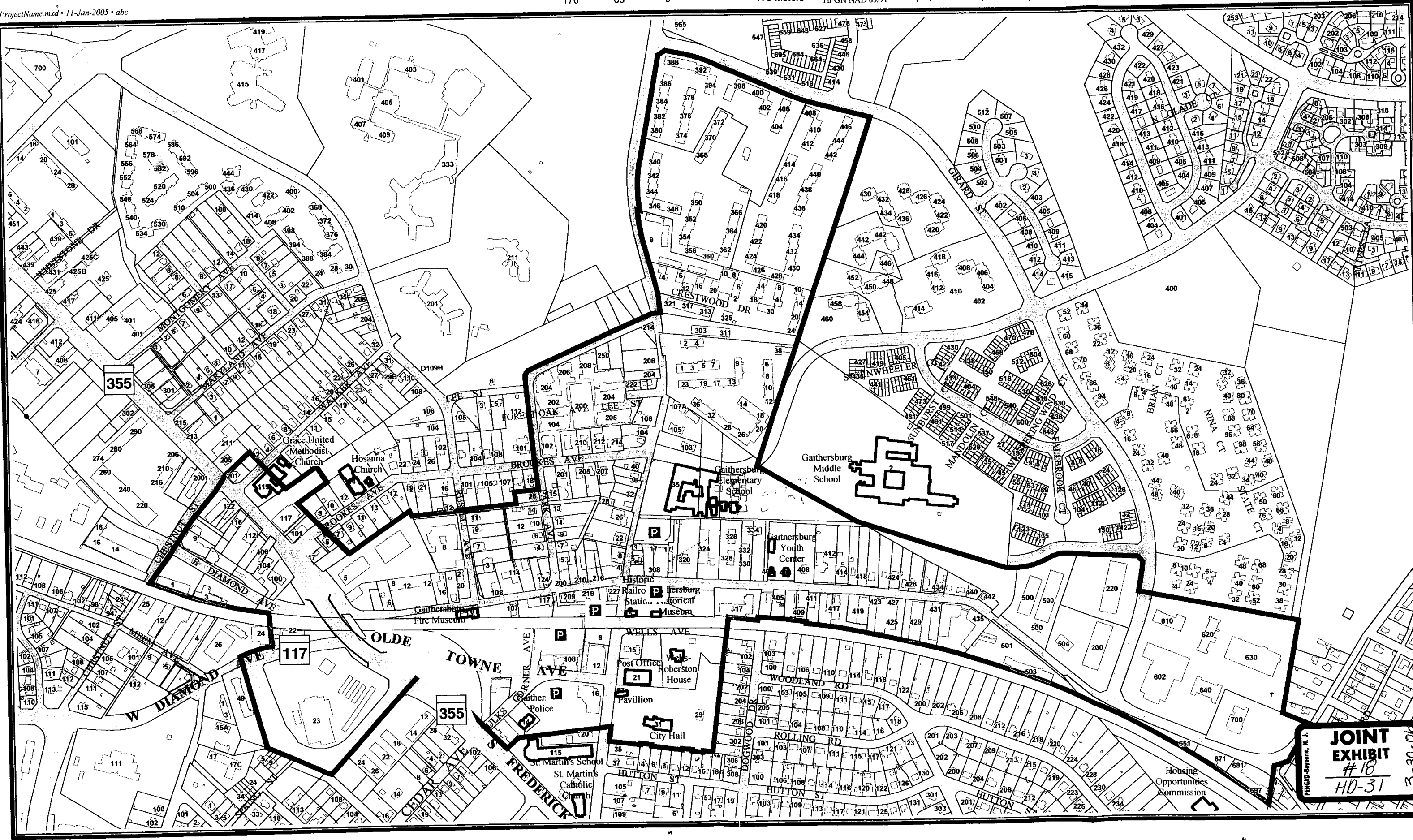


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City of Gaithersburg  
Planning and Code Admin  
31 S Summit Ave  
Gaithersburg, MD 20877  
(301) 258-6330  
www.gaithersburgmd.gov

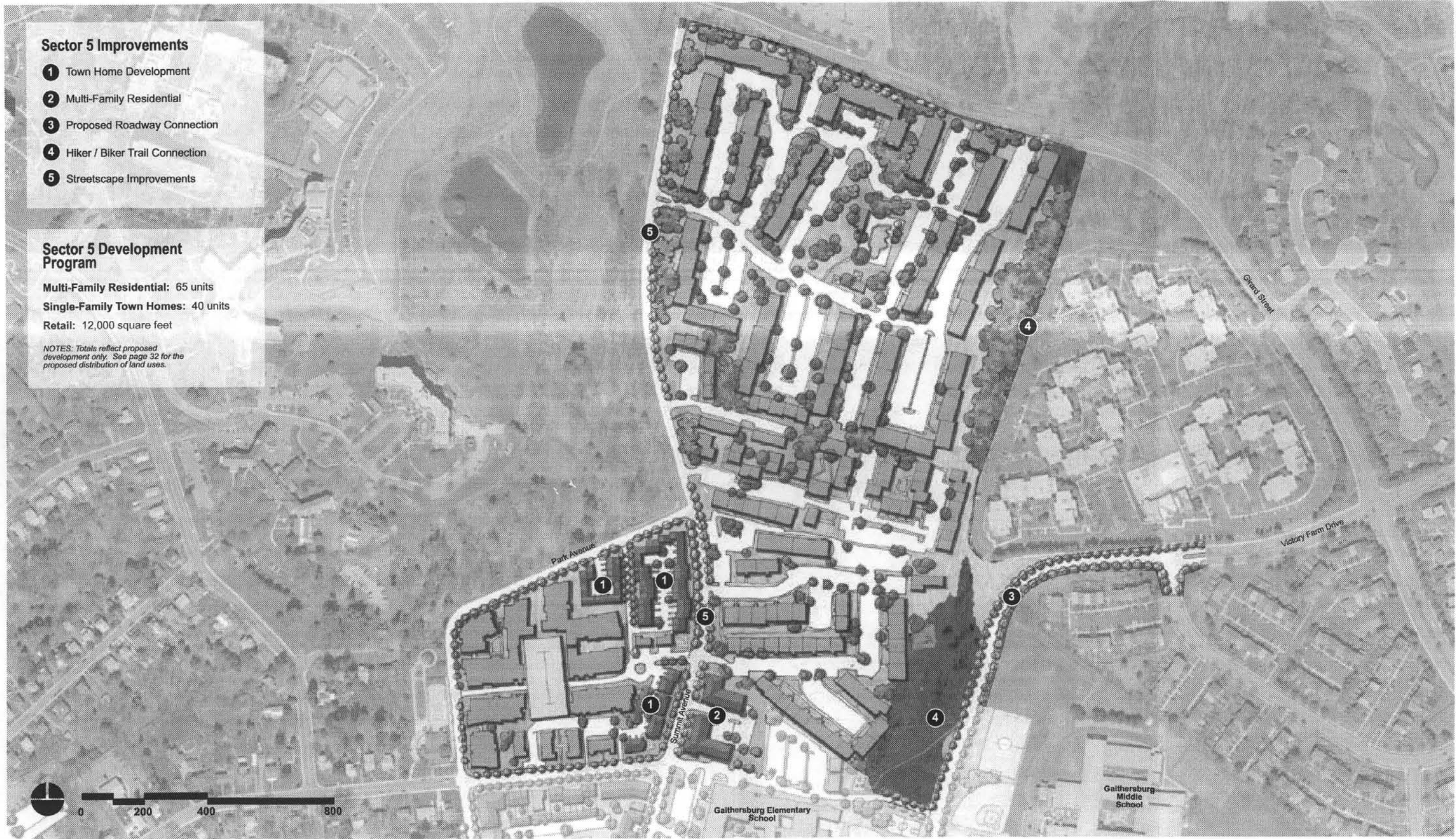


**JOINT  
EXHIBIT  
#18  
HD-31**

PERIOD: August, N. J.

3-30-06





# SECTOR 5

Sector 5 is a large area characterized by multi-family dwellings with a few City-owned, underutilized parcels along Summit Avenue. Much of Sector 5 is proposed to remain in its existing condition for the near future. However, opportunities for new development and redevelopment do exist within the sector.

## Residential Development

Several City-owned parcels along the west side of Summit Avenue between Brookes and Park Avenues do offer significant development opportunity in the near-term. The development of these sites into a higher-density residential community of fee-simple town homes and/or two-over-two condominiums (one two-level condominium unit on top of another two-level condominium) would diversify Olde Towne's housing stock and tenure, as well as improve the visual quality and pedestrian environment of the area.

To capitalize on the high visibility of the intersection at Summit and Park Avenues and the large number of residents living in this part of Olde Towne, a small amount of neighborhood-serving retail space could be accommodated in the ground level of one or several of the structures. Known as "flex" space, these structures could be constructed to allow either retail or residential uses on the ground floor – the specific use being determined by existing market conditions.

Parking for the town homes, two-over-two condominiums, and residential uses of the flex buildings would be accommodated in the rear of the structures. On-street parking

along Park Avenue would satisfy the parking needs of the small amount of retail uses proposed for this area.

The sharp contrast between the pastoral landscape of the Asbury Methodist Village on the west side of Summit Avenue and this proposed new residential development would create a pronounced, highly-visible gateway into Olde Towne from the north, requiring the highest standards of architectural design, materials, and construction. A sketch that conceptually illustrates the character of this residential development is shown on page 36.

Additional residential development is proposed on the east side of Summit Avenue, next to the Gaithersburg Elementary School. The existing structures on this site are obsolete, difficult to maintain, and expensive to insure. Redevelopment would greatly improve the quality of the housing stock on the east side of Summit Avenue. Ground floor neighborhood-serving retail uses would enhance and extend the "Main Street" qualities of Summit Avenue. Retail uses should be explored with any new development proposal.

## Connectivity Improvements

Additional recommendations are proposed in Sector 5 that improves pedestrian and vehicular connectivity within Olde Towne and outlying areas. An extension of the proposed hiker/biker trail (see Sector 3) could wind its way through the open space behind the apartment buildings on the east side of Sector 5. This leg of the trail would connect Olde Towne to existing and future

residential neighborhoods to the north and east, providing school children and commuters a safe place to walk or bike to the Gaithersburg Elementary and Middle schools and the train station. Part of a greater network, the trail would also provide a valuable recreational amenity for all Gaithersburg residents. To encourage the safety of trail users, the trail should be well-lit and constructed to contemporary, multi-use trail design standards.

The extension of Victory Farm Drive on the east side of Sector 5 would greatly increase the vehicular accessibility of Olde Towne for adjacent neighborhoods. The extension of Victory Farm Drive is described in greater detail above (see Sector 3).

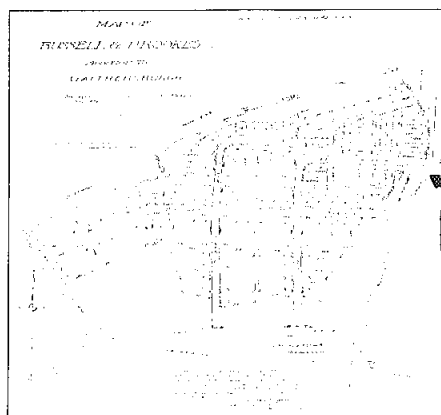
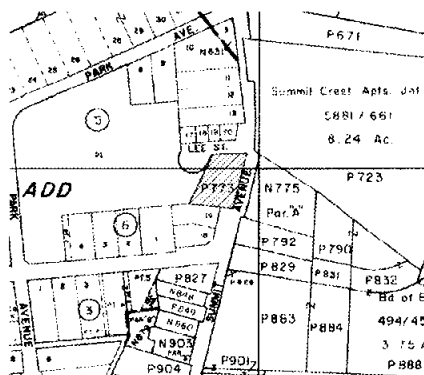
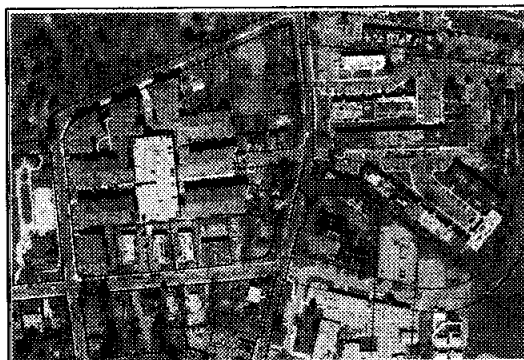


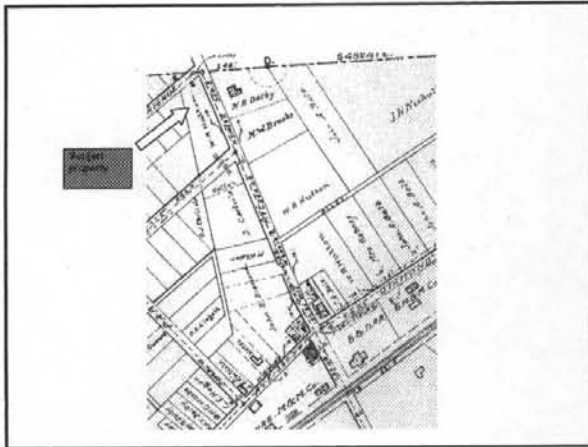


# Housley/Gaither House Circa 1929

106 North Summit Avenue  
Gaithersburg, Maryland

Aerial





North Summit Streetscape Today



### Ownership

- 1868 Mary Clopper Hutton
- Circa 1929 House built
- 1937 Wiley/Alberta Housely

### Ownership continued

- 1957 Elizabeth/Thelma/Agnes Gaither
- 1986 Daniel/Joan Hixon
- 2005 Maryland Community Development Trust LLC

Front Elevation



Front Elevation



Similar Styles



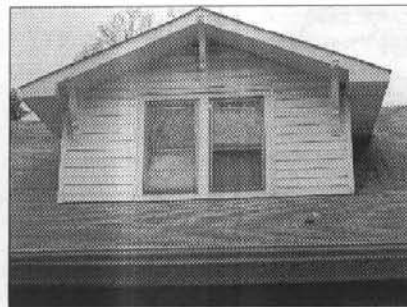
Craftsman style home

*A Field Guide to American Houses*



106 North Summit

Front Dormer Detail





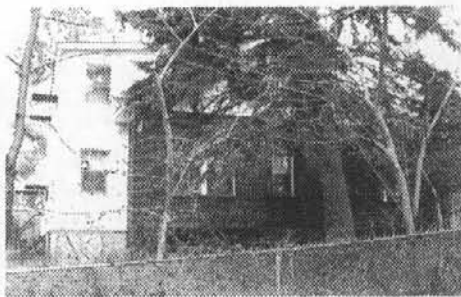
Porch Detail



Tidewater Roof Style



South Elevation



North elevation



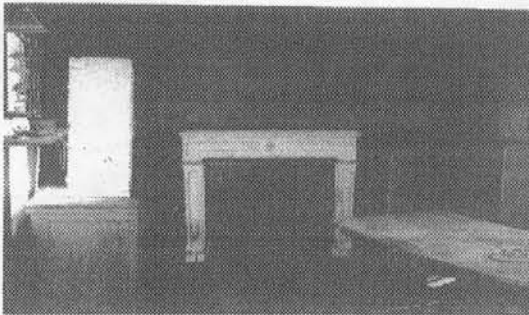
Rear elevation



Outbuilding



Interior of outbuilding



Side Yard



### Environmental Setting



### Historical and Cultural Significance

Sec. 24-226.(b)(1)a.

Has character, interest or value as part of the development, heritage or cultural characteristics of the city and county

### Historical and Cultural Significance

Sec. 24-226.(b)(1)c.

Is identified with a person or a group of persons who influenced society.

### Architectural and Design Significance

Sec. 24-226.(b)(2)a.

Embodies the distinctive characteristics of a type, period, or method of construction.

**Architectural and Design  
Significance**

**Sec. 24-226.(b)(2)f.**

**Embodies design, setting,  
materials, workmanship and  
ambience to the city's sense of  
time, place, and historic  
development.**